

***Allowance***

1. Applicant's Appeal Brief filed December 30, 2009 is acknowledged. Claims 22-28 and 36-37 are pending. After further review and consideration claims 22-28 and 36-37 are allowed.
2. All rejections of record are withdrawn.

***Examiner's Reasons for Allowance***

3. The prior art neither teaches or discloses a method of reducing neurotransmitter release in a subdermal structure of a patient, the method comprising the steps of: (a) non-chemically disrupting the stratum corneum of the patient's skin to reduce impermeability of the stratum corneum and (b) applying a fluid to the patient's skin, (c) applying a transdermal patch to the skin of a patient in an area that had the stratum corneum disrupted in step (a), the transdermal patch comprising; i) a pharmaceutical composition comprising a stabilized botulinum toxin provided in a dried state and an enhancing agent that is mixable with the stabilized botulinum toxin provided in a dried state and facilitates transdermal administration of a botulinum toxin in a bioactive form to a subdermal target site of a human patient without being administered to the patient's circulatory system; and ii) an adhesive layer disposed to one side of the transdermal patch to removably secure the patch on the patient's skin; when the pharmaceutical toxin composition is incorporated into the adhesive layer; and (d) solubilizing the botulinum toxin provided in the dry state with the fluid, wherein solubilization of the

Art Unit: 1645

botulinum toxin permits diffusion of the botulinum toxin from the adhesive layer into the patient's skin thereby reducing neurotransmitter release in a subdermal structure.

***Status of Claims***

4. Claims 22-28 and 36-37 are allowed.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANESSA L. FORD whose telephone number is (571)272-0857. The examiner can normally be reached on 9 am- 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Mondesi can be reached on (571) 272-0756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Vanessa L. Ford/  
Primary Examiner, Art Unit 1645  
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